

January 3, 2024

**Via ECF**

The Honorable Stewart D. Aaron  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl St.  
New York, NY 10007

Re: NCR Corporation v. B.A.T Industries p.l.c., No. 23-cv-01172-JPC-SDA

Dear Judge Aaron:

In accordance with the Case Management Plan (Dkt. 47), the parties write jointly to provide an update on the status of discovery. The parties exchanged interrogatories and requests for production on November 15, 2024, and exchanged responses to those discovery requests on December 13, 2024. The parties held an initial meet-and-confer call on December 26 to discuss certain critiques as to each side's written responses, and are scheduled to continue those discussions in early January. The parties will endeavor to resolve or narrow any disputes before presenting them to the Court. NCR made document productions totaling 476,244 pages on November 11, November 27, and December 13, 2025. BAT made a document production totaling 2,238 pages on November 26, 2024.

The parties also note that NCR's motion to strike BAT's jury demand is in the process of being briefed. NCR filed its opening motion on December 19, 2025 (Dkt. 58). BAT's opposition is due January 30, 2025 and NCR's reply is due February 20, 2025.

Fact discovery is scheduled to close on July 11, 2025. The parties are available at the Court's convenience to discuss any issues.

Respectfully submitted,

s/ Zachary Payne

*Counsel for Plaintiff NCR Voyix Corporation*

s/ Dennis H. Tracey, III

*Counsel for Defendant B.A.T Industries p.l.c.*